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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

No. 3:16 CR 00051-22 BR

Plaintiff,

**MOTION TO WITHDRAW AND FOR
SUBSTITUTION OF COUNSEL**

vs.

Darryl Thorn,

Defendant.

I, Laurie Shertz, state under penalty of perjury under the laws of the United States of America pursuant to 28 USC §1746 that the following is true and correct:

1. Mr. Thorn was found to be indigent and I was appointed to assist him effective February 12, 2016 by the Honorable Judge John V. Acosta.
2. Mr. Thorn remains in custody and to the best of my knowledge, his financial situation has not improved.
3. I believe the attorney-client relationship has deteriorated between Mr. Thorn and myself to the point that I can no longer effectively represent him.

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4. During a jail visit with Mr. Thorn on April 13, 2016, he informed me I was “Fired.”

5. I request the opportunity to address the court *in camera* on this issue in order to preserve Mr. Thorn’s confidences.

6. I have consulted with the CJA Panel Office. They do not take a position on this motion but stand prepared to appoint new counsel if ordered to do so by the Court. Therefore, I request the Court immediately appoint new counsel to represent Mr. Thorn pursuant to 18 USC §3006A.

7. I will be out of the District between Monday, April 18 until Sunday, April 24, so I request a hearing on this matter be scheduled for April 15, or the 24th.

7. This case is presently scheduled for trial in September, 2016, but I have only had the case one month, during most of which discovery was not available, so I do not believe replacement counsel would be particularly disadvantaged by this late start.

Respectfully submitted this 14 of April, 2016.

/s/ Laurie Shertz
LAURIE SHERTZ, OSB # 96477
503/406-2136
Attorney for Darryl Thorn

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